



State Historic Preservation Office

July 30, 2010

Ms. Victoria Rutson
 Section of Environmental Analysis
 Surface Transportation Board
 395 E Street, SW
 Washington, D.C. 20423-0001

Re: Draft Memorandum of Agreement for Proposed Union Pacific Railroad Abandonment from
 Milepost 38.6 near Merriam to Milepost 33.0 near Chaska
 Carver and Scott Counties
 SHPO Number: 2007-1869

Dear Ms. Rutson:

We received a draft Memorandum of Agreement (MOA) for this project from Troy Brady on July 1, to address the adverse effects caused by the project referenced above. We have reviewed that document, and request the changes listed below.

1. Remove the "Whereas" clause regarding the contract with Summit Envirosolutions, as that matter is already handled in the stipulation requiring preparation of a Minnesota Historic Property Record.
2. Move the "Whereas" clause regarding protection of the levee during salvage into the stipulation section as mitigation item. Levee protection is a future action which the Railroad is committing to perform per MOA requirements. Therefore it belongs in the Stipulations section, as an agreed-upon mitigation measure.
3. We believe there should be a stipulated deadline for submittal of the final Level I Minnesota Historic Property Record. One year from the date of MOA signature should be adequate.
4. Attachment I now states that all ballast within the city limits of Carver will be left in place. In my meeting with City of Carver officials on July 21, 2010, the City expressed their desire to have all ballast removed. I believe we should respect the City's choice in this matter.
5. I was informed on July 21 that the City no longer wished to retain any portion of the old railroad bridge, and had taken official City Council action to the effect earlier in the week. Therefore, we are no longer going to request bridge salvage as mitigation for this project.

Please contact me at 651-259-3456 if you have questions regarding our review of the MOA. Once these changes are made, we will be happy to sign the document.

Sincerely,


 Mary Ann Heidemann, Manager
 Government Programs and Compliance

cc: Gabe Meyer, Union Pacific Railroad
 Troy Brady, STB
 Brent Merrick, Administrator, City of Carver
 Carver Heritage Preservation Commission